

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Television broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-21611 Filed 8-30-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-137; RM-8683]

Radio Broadcasting Services; Milton, WV and Flemingsburg, KY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition filed by Simmons Broadcasting Company, proposing the substitution of Channel 292B1 for Channel 292A at Milton, West Virginia, and the modification of Station WFXN(FM)'s license accordingly. To accommodate the upgrade, petitioner also proposes the substitution of Channel 236A for Channel 292A at Flemingsburg, Kentucky, and the modification of Station WFLE-FM's license accordingly. Channel 292B1 can be allotted at Milton in compliance with the Commission's minimum distance separation requirements with a site restriction of 0.7 kilometers (0.5 miles) southeast to avoid short-spacings to the allotment and applications sites for Station WRZZ-FM, Channel 291A, Elizabeth, West Virginia. The coordinates for Channel 292B1 at Milton are North Latitude 38-29-02 and West Longitude 82-12-59. See Supplementary Information, *infra*.

DATES: Comments must be filed on or before October 19, 1995 and reply comments on or before November 3, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant,

as follows: Alan C. Campbell, Esq., Irwin, Campbell & Tennenwald, P.C., 1320 18th Street, NW., Washington, DC 20036 (Counsel for Petitioner).

FOR FURTHER INFORMATION CONTACT:

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making and Order to Show Cause*, MM Docket No. 95-137, adopted August 16, 1995, and released August 28, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Additionally, Channel 236A can be allotted at Flemingsburg in compliance with the Commission's minimum distance separation requirements at Station WFLE-FM's presently licensed site. The coordinates for Channel 236A at Flemingsburg are North Latitude 38-24-42 and West Longitude 83-34-41.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

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For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-21612 Filed 8-30-95; 8:45 am]

BILLING CODE 6712-01-F

47 CFR Part 73

[MM Docket No. 95-138; RM-8684]

Radio Broadcasting Services; Casper, WY

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition jointly filed by Bruce L. Erickson ("Erickson"), Hart Mountain Media, Inc., ("Hart") and Rule Communications ("Rule"), proposing the allotment of Channels 273A and 284A at Casper, Wyoming, as potentially the community's sixth and seventh local commercial FM transmission services. If the channels are allotted with cut-off protection, petitioners also propose to amend Rule and Hart's pending applications for Channel 247A at Casper to specify operation on Channels 273A and 284A, respectively, leaving the application of Erickson as singleton for Channel 247A, thereby resolving the mutual exclusivity for the channel. Channels 273A and 284A can be allotted at Casper in compliance with the Commission's minimum distance separation requirements at city reference coordinates. The coordinates for Channels 273A and 284A at Casper are North Latitude 42-50-48 and West Longitude 106-18-48.

DATES: Comments must be filed on or before October 19, 1995 and reply comments on or before November 3, 1995.

ADDRESSES: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioners, or their counsel or consultants, as follows: John R. Wilner, Esq., Bryan Cave, L.L.P., 700 13th Street, NW., Washington, DC 20005-3960 (Counsel for Bruce L. Erickson); Barry Skidelsky, Esq., 655 Madison Avenue, 19th Floor, New York, New York 10021 (Counsel for Hart Mountain Media, Inc.); John F. Garziglia, Esq., Pepper & Corazzini, L.L.P., 1776 K Street, NW., Suite 200, Washington, DC 20006 (Counsel for Rule Communications).

FOR FURTHER INFORMATION CONTACT:

Sharon P. McDonald, Mass Media Bureau, (202) 418-2180.

SUPPLEMENTARY INFORMATION: This is a synopsis of the Commission's *Notice of Proposed Rule Making*, MM Docket No. 95-138, adopted August 16, 1995, and released August 28, 1995. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Reference Center (Room 239), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, Inc., (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

John A. Karousos,

Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 95-21614 Filed 8-30-95; 8:45 am]

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DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 641

[I.D. 082395A]

Reef Fish Fishery of the Gulf of Mexico; Amendment 11

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability of an amendment to a fishery management plan; request for comments.

SUMMARY: NMFS announces that the Gulf of Mexico Fishery Management Council (Council) has submitted Amendment 11 to the Fishery Management Plan for the Reef Fish Resources of the Gulf of Mexico (FMP) for review, approval, and implementation by NMFS. Written comments are requested from the public.

DATES: Written comments must be received on or before October 24, 1995.

ADDRESSES: Comments must be mailed to the Southeast Regional Office, NMFS, 9721 Executive Center Drive N., St. Petersburg, FL 33702.

Requests for copies of Amendment 11, which includes an environmental assessment, a regulatory impact review, and an initial regulatory flexibility analysis should be sent to the Gulf of Mexico Fishery Management Council,

5401 W. Kennedy Boulevard, Suite 331, Tampa, FL 33609-2486; fax: 813-225-7015.

FOR FURTHER INFORMATION CONTACT: Michael E. Justen or Robert Sadler, 813-570-5305.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (Magnuson Act), requires that a council-prepared amendment to a fishery management plan be submitted to NMFS for review and approval, disapproval, or partial disapproval. The Magnuson Act also requires that NMFS, upon receiving an amendment, immediately publish a document that the amendment is available for public review and comment.

Amendment 11 proposes to: (1) Revise the annual framework procedure for modifying management measures; (2) specify in the framework procedure that the recovery period will be set by the Council, not its Stock Assessment Panel; (3) change the definition of optimum yield; (4) allow total allowable catch (TAC) to exceed the allowable biological catch (ABC) level specified for stocks assessed as not overfished; (5) increase the upper limit for framework adjustments of the red snapper recovery schedule from 1.5 to 2.0 times the biological generation time, or other period to be approved by the Council; (6) limit sale of reef fish by permitted vessels to permitted reef fish dealers; (7) require that permitted reef fish dealers purchase reef fish caught in the exclusive economic zone only from permitted vessels; (8) allow transfer of fish trap endorsements in the event of death or disability; (9) allow a one-time transfer of certain fish trap endorsements; (10) implement a new reef fish permit moratorium for no more than 5 years or until December 31, 2000, while the Council considers limited access for the reef fish fishery; (11) allow permit transfers to other persons with vessels by vessel owners who qualified for their reef fish permit; and (12) require charter vessel and headboat permits.

The Director, Southeast Region, NMFS, based on a preliminary evaluation of Amendment 11, has disapproved three amendment measures, because these measures were determined to be inconsistent with the Magnuson Act. The disapproved measures included the following sections of Amendment 11: (1) Section 8.3, Optimum Yield Definition; (2) section 8.5, Use of ABC Range for Specification of TAC, setting TAC above ABC for non overfished resources; and

(3) section 8.7, Respecify the Generation Time Multiplier for Recovery Periods.

Proposed regulations to implement those measures of Amendment 11 that were not disapproved based on the preliminary evaluation are scheduled for publication within 15 days.

Authority: 16 U.S.C. 1801 *et seq.*

Dated: August 25, 1995.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 95-21576 Filed 8-25-95; 3:49 pm]

BILLING CODE 3510-22-F

50 CFR Part 675

[I.D. 082395C]

Groundfish of the Bering Sea and Aleutian Island Area

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Notice of availability of an amendment to a fishery management plan and request for comments.

SUMMARY: The North Pacific Fishery Management Council (Council) has submitted Amendment 21b to the Fishery Management Plan for the Groundfish Fishery of the Bering Sea and Aleutian Islands Area (FMP) for Secretarial review and is requesting comments from the public. Copies of the amendment may be obtained from the Council (see **ADDRESSES**).

DATES: Comments on the FMP amendment should be submitted on or before October 24, 1995.

ADDRESSES: Comments on the FMP amendment should be submitted to Ronald J. Berg, Chief, Fisheries Management Division, Alaska Region, NMFS, P.O. Box 21668, Juneau, AK 99802 Attn: Lori Gravel, or delivered to the Federal Building, 709 West 9th Street, Juneau, AK. Copies of Amendment 21b and the environmental assessment/regulatory impact review/initial regulatory flexibility analysis prepared for the amendment are available from the North Pacific Fishery Management Council, P.O. Box 103136, Anchorage, AK 99510.

FOR FURTHER INFORMATION CONTACT: Sally Bibb, 907-586-7228.

SUPPLEMENTARY INFORMATION: The Magnuson Fishery Conservation and Management Act (Magnuson Act) requires that each Regional Fishery Management Council submit any fishery management plan or plan amendment it